

JURISDICTION:

General Reference:

Basis for a Speed Law Violation:

Basic Speed Rule:

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This chapter summarizes Wyoming State statutes related to speed.
Wyoming Statutes Annotated

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. §31-5-301(a)

Statutory Speed Limit:

75 MPH on interstate highways §31-5-301(b)(iii) & (v)(A)
65 MPH on other highways §31-5-301(b)(iv) & (v)(B)
30 MPH in an urban district §31-5-301(b)(ii)
20 MPH in a school zone or crossing §31-5-310(b)(i)

Posted (Maximum) Speed Limit:

I. Based on engineering and traffic investigations, the State may increase or decrease the above speed limits on the State highway system.¹ §§31-5-301(c) & 31-5-302 The State highway system includes city streets that are designated as State highways. §24-1-127
II. Based on engineering and traffic investigations, local governments may increase or decrease the above speed limits on the highways or streets under their jurisdiction.² §§31-5-301(c) and 31-5-303(a) & (b)
III. Based on investigations, the State or a local government may establish safe maximum speed limits for any bridges or elevated structures under their jurisdiction. §31-5-305(a) & (b)

Minimum Speed Limit:

I. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. §31-5-304(a)
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. §31-5-201(b)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government may establish minimum speed limits on the highways or streets under their jurisdiction. §31-5-304(b)

Other:

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

All Speed Law Violations are Misdemeanors. §31-5-1201(a)
Note: Under §31-18-604, a commercial vehicle operator must comply with the maximum speed limits established under §31-5-301. Failure to comply with these speed limits will subject the operator to the sanctions provided for under §31-5-1201.

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,

¹The State may also establish different highway speed limits (1) for different types of vehicles (e.g., persons, who operate certain types of trucks may be required to drive these vehicles at a slower speed than those who operate other types of motor vehicles), (2) at different times of the day, (3) for various weather conditions or (4) for other factors bearing on safe speeds. §31-5-302

²However, a local government cannot increase a speed limit to >55 MPH within an urban district and, except as noted, they cannot decrease the speed limit to <35 MPH outside an urban district. However, in a "platted rural subdivision," a local government can reduce the speed limit to <35 MPH. §31-5-303(a)(ii), (a)(iii) & (b)

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Etc.):

- I. Exceeding the 75 MPH Speed Limit by ≥ 76 but ≤ 80 MPH: **None**
- II. Exceeding the 75 MPH Speed Limit by > 80 MPH: **None**
- III. Exceeding the 65 MPH Speed Limit by ≥ 66 but ≤ 70 MPH: **None**
- IV. Exceeding the 65 MPH Speed Limit by > 70 MPH: **None**
- V. Other Speeding or Speed Related Violations: 1st offense-Not more than **20 days** 2nd offense (within 1 year)-Not more than **30 days** Subsequent offenses (within 1 year)-Not more than **6 months** §31-5-1201(b)

Mandatory Minimum Term:

None

Fine:

Amount (\$ Range):

- I. Exceeding the 75 MPH Speed Limit by ≥ 76 but ≤ 80 MPH: **\$5** for each MPH over the speed limit but not more than **\$25**. §31-5-1201(d)(i)
- II. Exceeding the 75 MPH Speed Limit by > 80 MPH: **\$35** but not more than the maximum fines for other speeding violations. §31-5-1201(d)(iii)
- III. Exceeding the 65 MPH Speed Limit by ≥ 66 but ≤ 70 MPH: **\$5** for each MPH over the speed limit but not more than **\$25**. §31-5-1201(d)(i)
- IV. Exceeding the 65 MPH Speed Limit by > 70 MPH: **\$25** plus **\$3** for every MPH in excess of 70 MPH and **\$5** in court costs. §31-5-1201(d)(ii)
- V. Other Speeding or Speed Related Violations: 1st offense-Not more than **\$200** 2nd offense (within 1 year)-Not more than **\$300** Subsequent offenses (within 1 year)-Not more than **\$500** §31-5-1201(b)

Mandatory Min. Fine (\$):

- I. Exceeding the 75 MPH Speed Limit by > 80 : Note: The minimum fine of **\$35** may be mandatory.
- II. Exceeding the 65 MPH Speed Limit by > 70 MPH: Note: The minimum fine of **\$25** may be mandatory
- III. Other Speeding or Speed Related Violations: **None**

Other Penalties:

Traffic School:

Other:

Special Fine for Heavy Vehicle Operators. When operating motor vehicles with a gross vehicle weight $> 26,000$ lbs., persons, who either (1) exceed 80 MPH on an interstate highway with a posted speed limit of 75 MPH, (2) exceed 70 MPH on other highways with a posted speed limit of 65 MPH or (3) exceed a construction zone speed limit by 6 MPH, are subject to a fine of **\$100**. This fine appears to be mandatory. §31-5-1201(g) & 31-18-704

Sanctions Following an Adjudication of a Speed Law Violation: (continued)

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Suspension Based Upon Repeated Violations of the Traffic Laws §31-7-129(a)(i)³

³Driver licensing action shall not be based on speed limit law convictions where the offender was driving < 80 MPH in locations where the speed limit was between 65 and 75 MPH. §31-5-1201(d)(iv) In addition, except for Commercial Motor Vehicle operators, a driver's record shall not contain a conviction either for exceeding the 75 MPH speed limit where the offender's speed was ≤ 80 MPH or for exceeding the 65

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Term of License Withdrawal
(Days, Months, Years, etc.):
Mandatory Minimum Term of
Withdrawal:

Not more than **12 months** §31-7-129(a)

None Licensing action is discretionary with the licensing agency.

Miscellaneous Sanctions
Not Included Elsewhere:

Note: Court costs shall **not** be assessed against a person for violating either the 75 or 65 MPH speed limit provisions, where the speed limit was not exceed by more than 4 MPH. §31-5-1201(d)(v)

Other Criminal Actions Related to Speeding:

Speed or Acceleration Contest⁴:

Misdemeanor §§6-10-101 & 24-1-110

Sanctions:

Criminal Sanction:

Not more than **10 days** §24-1-110(c)

Imprisonment (Term):

None

Mandatory Minimum Term:

\$10 to \$100 §24-1-110(c)

Fine (\$ Range):

None

Mandatory Minimum Fine:

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Suspension Based Upon Repeated Violations of the Traffic Laws §31-7-129(a)(i)

Length of Term of

Licensing Withdrawal:

Not more than **12 months** §31-7-129(a)

Mandatory Action--Minimum

Length of License

Withdrawal:

None Licensing action is discretionary with the licensing agency.

Other:

Reckless Driving:

Misdemeanor §§31-5-229 & 31-5-1201(a)

Sanction:

Criminal:

Imprisonment (Term):

Not more than **6 months** §31-5-1201(f)

Other Criminal Actions Related to Speeding: (continued)

Reckless Driving: (continued)

Mandatory Minimum Term

of Imprisonment:

None

Fine (\$ Range):

Not more than **\$750** §31-5-1201(f)

Mandatory Minimum Fine:

None

Administrative Licensing Actions:

MPH speed limit where the offender's speed was ≤70 MPH. §31-5-301(d)

⁴The law prohibits a person from engaging in either a speed or acceleration contest without State or local government approval. §24-1-110(a)

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Type of Licensing Action (Susp/Rev):	<u>1st offense-Suspension</u> §31-7-128(a)(i) <u>2nd offense</u> (within 5 years)-
Administrative Licensing Actions: Type of Licensing Action (Susp/Rev): (continued)	Suspension §31-7-128(a)(ii) <u>Subsequent offense</u> (within 5 years)- Revocation §31-7-127(a)(iii)
Length of Term of License Withdrawal Action:	<u>1st offense-90 days</u> §31-7-128(a)(i) <u>2nd offense</u> (within 5 years)- 6 months §31-7-128(a)(ii) <u>Subsequent offense</u> (within 5 years)- 1 year §31-7-127(a)(iii) & (b)
Mandatory Term of License Withdrawal Action:	<u>1st offense-90 days</u> §31-7-128(a)(i) <u>2nd offense</u> (within 5 years)- 6 months §31-7-128(a)(ii) <u>Subsequent offense</u> (within 5 years)- 1 year §31-7-127(a)(iii) & (b)
Other:	Surcharge. An offender is assessed a surcharge of \$100 . This surcharge is in addition to any other sanction. §1-40-119(a)(ii)

Commercial Motor Vehicle (CMV) Operators⁵:

<u>Grounds for Disqualification:</u>	A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations" ⁶ within a 3 year period or (2) commit 3 such violations within a 3 year period. §31-7-305(f)
<u>Period of Disqualification:</u>	<u>2 serious violations</u> (within 3 years)-Not less than 60 days <u>3 serious violations</u> (within 3 years)-Not less than 120 days §31-7-305(f)
<u>Period of Mandatory Disqualification:</u>	<u>2 serious violations</u> (within 3 years)- 60 days <u>3 serious violations</u> (within 3 years)- 120 days §31-7-305(f)

⁵A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. §31-7-102(a)(viii)

⁶A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. §31-7-102(a)(xli)